

**DRAFT**  
**Town of Walpole**  
**Stormwater Management and Erosion Control Bylaw**

**REGULATIONS**

These Regulations were adopted for implementation of the Stormwater Management and Erosion Control Bylaw of the Town of Walpole by the Walpole Conservation Commission by majority vote on \_\_\_\_\_, 20\_\_, and filed with the Town Clerk on \_\_\_\_\_, 20\_\_.

**PART I. APPLICATIONS:**

**Land Disturbance Permit.** The application for a full permit shall

- A. ten (10) copies of a completed Application Form with signatures of all property owners and the signature of the applicant if different;
- B. a list of abutters within 300 feet, certified by the Assessors Office;
- C. ten (10) copies each of the Erosion and Sediment Control Plan, Stormwater Management Plan, and Operation and Maintenance Plan as specified in PARTS II, III, and IV of these regulations adopted under the bylaw; and
- D. payment of the application and review fees, which may include the creation of an escrow account in accordance with Section 7.B. of the bylaw.

**PART II. EROSION AND SEDIMENTATION CONTROL PLANS**

**A. Standards.**

The Erosion and Sediment Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls. The Plan must be prepared in accordance with the following standards:

- 1. The total area of disturbance shall be minimized;
- 2. Activities shall be sequenced to minimize simultaneous areas of disturbance;
- 3. Soil erosion shall be minimized and sedimentation will be controlled during construction, provided that prevention of erosion is preferred over sedimentation control;
- 4. Uncontaminated surface water shall be diverted around disturbed areas;
- 5. All Erosion and Sediment Control measures shall be installed and maintained in accordance with Town specifications and good engineering practices;
- 6. Off-site transport of sediment shall be prevented, including sediment tracked by vehicles leaving the site;
- 7. On and off-site stockpile areas shall be managed to provide protection from erosion and sediment transport (overburden and stockpiles of dirt, borrow areas, or other areas used solely by the permitted project are considered a part of the project);

8. Applicable Federal, State and local laws and regulations shall be complied with fully including waste disposal, sanitary sewer or septic system regulations, and air quality requirements, including dust control;
9. The proposed activities shall not be permitted to have adverse impacts to habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or Of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, and Priority Habitats of Rare Species;
10. Interim and permanent stabilization measures shall be instituted on a disturbed area as soon as practicable but no more than fourteen (14) days after construction activity has temporarily or permanently ceased on that portion of the site; and
11. On-site construction and waste materials shall be handled properly;

**B. Contents.** The Erosion and Sediment Control Plan shall contain the following information:

1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
2. Title, date, north arrow, names of abutters, scale (1"=20' or 1"=40'), legend, and locus map (1"=200').
3. Location and description of natural features including:
  - a. Watercourses and water bodies, wetland resource areas, riparian zones and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps;
  - b. Existing vegetation of various kinds including tree lines, shrub layer, ground cover and herbaceous vegetation, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities;
  - c. Habitats mapped by the Massachusetts Natural Heritage & Endangered Species Program as Endangered, Threatened or of Special Concern, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, Potential Vernal Pools, and Priority Habitats of Rare Species within five hundred (500) feet of any construction activity.
4. Lines of existing abutting streets showing drainage and driveway locations and curb cuts.
5. Existing soils (type, hydrologic group, erodibility) and the volume and nature of imported soil materials.
6. Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed.
7. Steep slopes for pre-development and post-development conditions, delineated by 0%-15%, 15%-25%, and over 25%.
8. Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed.
9. Drainage patterns, watersheds and subwatersheds, with calculations of proposed land disturbance within each subwatershed and areas of soil to be disturbed in each watershed throughout the duration of the proposed land disturbance activity.

10. Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas.
11. Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable.
12. Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures.
13. A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.
14. A description of provisions for phasing the project where one contiguous acre of area or greater is to be altered or disturbed.
15. Plans, reports, and calculations must be stamped and certified by a qualified professional as defined in Section 2 of the Walpole Stormwater Management and Erosion Control Bylaw.
16. Such other information as is required by the Conservation Commission.

### **PART III. STORMWATER MANAGEMENT PLANS**

**A. Standards.** The Stormwater Management Plan shall be prepared in accordance Massachusetts DEP Stormwater Management Standards and Stormwater Policy Handbook Volumes One and Two. The standards are:

1. No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or water of the Commonwealth;
2. Stormwater management systems must be designed so that post-development peak discharge rates and volumes do not exceed pre-development peak discharge rates and volumes;
3. Loss of annual recharge to groundwater should be minimized through the use of infiltration measures to the maximum extent practicable. The annual recharge from the post-development site should approximate the annual recharge rate from the pre-development or existing site conditions, based on soil types;
4. For new development, stormwater management systems must be designed to remove 80% of the average annual load (post development conditions) of Total Suspended Solids (TSS). It is presumed that this standard is met when:
  - a. Suitable nonstructural practices for source control and pollution prevention are implemented;
  - b. Stormwater management best management practices (BMPs) are sized to capture the prescribed runoff volume; and
  - c. Stormwater management BMPs are maintained as designed;
5. Stormwater discharges from areas with higher potential pollutant loads require the use of specific stormwater management BMPs (see Stormwater Management Volume I: Stormwater Policy Handbook). The use of infiltration practices without pretreatment is prohibited;

6. Stormwater discharges to critical areas must utilize certain stormwater management BMPs approved for critical areas (see Stormwater Management Volume I: Stormwater Policy Handbook). Critical areas are Outstanding Resource Waters (ORWs), shellfish beds, swimming beaches, cold water fisheries and recharge areas for public water supplies.
7. Redevelopment of previously developed sites must meet these standards to the maximum extent practicable. However, if it is not practicable to meet all the Standards, new (retrofitted or expanded) stormwater management systems must be designed to improve existing conditions.
8. All stormwater management systems must have an operation and maintenance plan, prepared in accordance with PART IV of these regulations, to ensure that systems function as designed and are maintained properly.

**B. Stormwater Management Plan Requirements.** The Stormwater Management Plan shall contain the following information:

1. A locus map, at a scale of 1"=200'.
2. The existing zoning, and land use at the site.
3. The proposed land use.
4. The location(s) of existing and proposed easements.
5. The location of existing and proposed utilities.
6. The site's existing & proposed topography with contours at 2 foot intervals.
7. The existing site hydrology.
8. A description & delineation of existing stormwater conveyances, impoundments, and wetlands on or adjacent to the site or into which stormwater flows.
9. A delineation of 100-year flood plains, if applicable.
10. A estimate made by a Licensed Soil Evaluator of seasonal high groundwater elevation in each area to be used for stormwater retention, detention, or infiltration.
11. The existing and proposed vegetation and ground surfaces with runoff coefficient for each.
12. A drainage area map showing pre and post construction watershed boundaries, drainage area and stormwater flow paths.
13. A description and drawings of all components of the proposed drainage system including:
  - a. locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization,
  - b. all measures for the detention, retention or infiltration of water,
  - c. all measures for the protection of water quality,
  - d. the structural details for all components of the proposed drainage systems and stormwater management facilities,
  - e. notes on drawings specifying materials to be used, construction specifications, and typicals, and
  - f. expected hydrology with supporting calculations.
14. The proposed improvements including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable.

15. The Timing, schedules, and sequence of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization.
16. A maintenance schedule for the period of construction.
17. Any other information requested by the Conservation Commission.

#### **PART IV. OPERATION AND MAINTENANCE PLANS and AGREEMENTS**

**A. Operation and Maintenance Plan Requirements.** An Operation and Maintenance Plan (O&M Plan) is required at the time of application for all projects. Once approved by Conservation Commission the Operation and Maintenance Plan shall be recorded at the Norfolk County Registry of Deeds, shall remain on file with the Conservation Commission and shall be an ongoing requirement. The O&M Plan shall include:

1. The name(s) of the owner(s) for all components of the system
2. Maintenance agreements that specify:
  - a. The names and addresses of the person(s) responsible for operation and maintenance
  - b. The person(s) responsible for financing maintenance and emergency repairs.
  - c. A Maintenance Schedule for all drainage structures, including swales and ponds.
  - d. A list of easements with the purpose and location of each.
  - e. The signature(s) of the owner(s).

#### **B. Stormwater Management Easement(s).**

1. Stormwater management easements shall be provided by the property owner(s) as areas are necessary for:
  - a. access for facility inspections and maintenance,
  - b. preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event; and
  - c. direct maintenance access by heavy equipment to structures requiring regular cleanout maintenance.
2. The purpose of each easement shall be specified in the maintenance agreement signed by the property owner.
3. Stormwater management easements are required for all areas used for off-site stormwater control, unless a waiver is granted by the Conservation Commission.
4. Easements shall be recorded with the Norfolk County Registry of Deeds prior to issuance of a Certificate of Completion by the Conservation Commission.

**PART V. Administrative Review Requirements.** The administrative review application shall contain the following information:

1. Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
2. Locus map, at a scale of 1"=200'.
3. Plot sketch with limits of disturbance clearly marked.
4. Short narrative describing the project.

5. Discharge locations pre and post construction.
6. Square feet of disturbance.
7. Change in imperviousness (square feet).
8. Maximum slope of the site.
9. Maximum amount of cut or fill (feet).
10. Indication that dewatering is/is not required.

## **PART VI. REVIEW FEE SCHEDULE**

The following fee schedules are minimum fees. The Planning Board may require higher fees if deemed necessary for proper review of an application or to ensure compliance.

Lot Area	Professional Review Fee	Application Fee
Less Than 3 Acres	\$ ____.	\$ ____.
3 to 10 Acres	\$ ____.	\$ ____.
Greater than 10 Acres	\$ ____.	\$ ____.

### **Resubmittal/Amendment**

Filing Fee \$ \_\_\_\_  
 Review Fee \$ \_\_\_\_

## APPLICATION LAND DISTURBANCE PERMIT

### GENERAL INSTRUCTIONS

An applicant for a land disturbance plan review must file with the [Planning Board/Conservation Commission] a completed application package, in accordance with the requirements of the Stormwater Management and Erosion Control Bylaw. Timelines concerning the review process will not begin until [the Planning Board or Conservation Commission] has determined that the application is complete.

1. Any application not accompanied by the appropriate fee shall be deemed incomplete. Payment must be made to the Town of Walpole Planning Board in cash, money order, bank or certified check payable to the Town of Walpole.
2. An Applicant's failure to pay any additional review or inspection fee within five business days of receipt of the notice that further fees are required shall be grounds for disapproval.
3. The Planning Board will publish the public notice. The applicant is responsible for sending a butter notification, by certified mail-return receipt requested. Copies of the certified mail receipts must be submitted to [the Planning Board or Conservation Commission] for verification prior to the Public Hearing. The applicant shall pay all costs associated with the publication and notification requirements.

Professional review fees include engineering review, legal review, and clerical fees associated with the public hearing and permit processing. A fee estimate may be provided by [the Planning Board or Conservation Commission]'s consultant. The applicant may be required to establish an escrow account with the Town to cover the review fees. If the escrow account becomes depleted, the applicant will be required to renew the escrow account in order to continue the review of the application.

Applicant's Name \_\_\_\_\_  
Applicant's Address \_\_\_\_\_  
\_\_\_\_\_  
Applicant's Phone \_\_\_\_\_  
\_\_\_\_\_  
Owners' Names(s) \_\_\_\_\_  
Owners' Address \_\_\_\_\_  
\_\_\_\_\_  
Owner's Phone \_\_\_\_\_  
\_\_\_\_\_

The Land Disturbance involves property where owner's title to the land is derived under deed from \_\_\_\_\_, dated \_\_\_\_\_, and recorded in the Norfolk County Registry of Deeds, Book \_\_\_\_\_, Page \_\_\_\_\_, or Land Court Certificate of Title No \_\_\_\_\_, Registered in \_\_\_\_\_ District, Book \_\_\_\_\_, Page \_\_\_\_\_.  
The project is located on the parcel shown on Assessors Map \_\_\_\_\_, Parcel \_\_\_\_\_.  
Project street address \_\_\_\_\_

Give a brief summary of the nature of the project.

The property (building) is described as being located at \_\_\_\_\_;  
It is currently used as \_\_\_\_\_,

The changes proposed are \_\_\_\_\_

Planned start date: \_\_\_\_\_, Planned completion date: \_\_\_\_\_

Total area to be disturbed? \_\_\_\_\_ square feet.square feet.

Total area of the site (lot) \_\_\_\_\_

Will there be disturbance of any slope greater than 25%? \_\_\_\_\_Yes \_\_\_\_\_No

If yes, give the area of the slope disturbance. \_\_\_\_\_square feet.

Please list other narratives and plans(graphics) submitted with this application.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
- 6.. \_\_\_\_\_

Attach application fee and supporting documents.

**Certification**

I, the undersigned, hereby certify that I have read and understand the requirements and conditions of the Town of Walpole Stormwater Management and Erosion Control Bylaw and that the information included in the application materials is accurate and truthful to the best of my knowledge. (sign and print name and date)

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_(please print)

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_(please print)